

Appl. No. 10/078,043  
Atty. Docket No. 8431M  
Reply Dated November 12, 2003  
Reply to Office Action of August 12, 2003  
Customer No. 27752

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Ian Robinson 43,348  
Attorney Name Registration No.  
Ian Robinson  
Signature of Attorney

Case 8431M

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : :  
Vladimir Gartstein, et al. : : Confirmation No. 4983  
Serial No. 10/078,043 : : Group Art Unit 3739  
Filed February 19, 2002 : : Examiner M. F. Peffley  
For: METHOD AND APPARATUS FOR THE IN-VIVO TREATMENT OF  
PATHOGENS

RESPONSE

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action of August 12, 2003, Applicants agent hereby respectfully requests further examination and reconsideration in view of the following amendments and remarks.

In the claims, please amend the claims according to the entire set of pending claims beginning on page 2 of this paper.

Please consider the remarks and arguments beginning on page 6 of this paper.

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**OFFICIAL**

**TO:** Commissioner of Patents  
United States Patent and Trademark Office  
**ATTN: EXAMINER M. F. PEFFLEY**  
Fax No. (703) 872-9302  
Phone No. (703) 308-4305

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Ian Robinson (Signature)

**FROM:** Ian S. Robinson  
Fax No. (513) 626-3499  
Phone No. (513) 626-3356

Listed below are the item(s) being submitted with this Certificate of Transmission:\*\*

- 1) Response/Amendment Transmittal Sheet  
(original + 1 copy)
- 2) Response (11 pages)

Number of Pages Including this Page: 14

Inventor(s): Gartstein, et al.  
S.N.: 10/078,043  
Confirmation No.: 4983  
Filed: February 19, 2002  
Case: 8431M

Comments:

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COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Dear Sir:

Transmitted herewith is an AMENDMENT for the patent application:

Application No. : 10/078,043  
 Applicant(s) : Gartstein, et al.  
 Filed : February 19, 2002  
 Title : Method and Apparatus for the In-Vivo Treatment of Pathogens  
 TC/A.U. : 3739  
 Examiner : M. F. Peffley  
 Conf. No. : 4983  
 Docket No. : 8431M  
 Customer No. : 27752

**OFFICIAL**

1. [x] No additional fees (claims fees or extension fees) are known to be required.
2. [] The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA*	RATE	FEES
TOTAL	* 20	MINUS	** 20	=	x \$18 =	\$
INDEP.	* 3	MINUS	*** 4	=	x \$86 =	\$
<b>FIRST PRESENTATION OF MULTIPLE DEP. CLAIM</b>					+ \$290 =	\$
					<b>TOTAL</b>	<b>\$</b>

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the highest number of total claims previously paid for is less than 20, write "20" in this space.

\*\*\* If the highest number of independent claims previously paid for is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

3. [] The Commissioner is hereby petitioned under 37 CFR §1.136(a) to grant any extension of time needed for timely response to the Office Action dated in the above-identified application to preserve pendency of said application. The processing fee under 37 CFR §1.17 has been determined as follows: \$ for a -month extension of time.
4. The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-2480. A duplicate copy of this sheet is attached.
  - a. [x] Any patent application processing fees under 37 CFR §1.16.
  - b. [x] Any patent application processing fees under 37 CFR §1.17.
5. The Director is hereby authorized to make any additional copies of this sheet needed to accomplish the purposes provided for herein and to charge any fee for such copies to Deposit Account No. 16-2480.

*Ian Robinson*

Ian S. Robinson  
Attorney for Applicants  
Registration No. 43,348  
Tel. No. (513) 626-3356

Date: 11/12/03  
Customer No. 27752  
(Transamnd.doc - last revised 10/14/2003)